

F.B.I. Guard Put on Files Of 3 Departing Nixon Men

NYTimes By R. W. APPLE JR. MAY 2 1973

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WASHINGTON, May 1 — Agents of the Federal Bureau of Investigation moved into position today to guard the files of three senior Presidential assistants who are leaving because of the Watergate case.

The deployment of the agents was only one sign of the changing order at the White House on the morning after President Nixon's speech on the ever-widening scandal. There was a new air about the place as Ronald L. Ziegler, the Presidential press secretary, apologized to The Washington Post, promised frequent news conferences and hinted at a new staff structure.

According to Mr. Ziegler, the F.B.I. agents are guarding the files of H. R. Haldeman, John D. Ehrlichman and John W. Dean 3d, 24 hours a day. No one is permitted to examine or remove papers from the files, he added, unless an agent is present.

This "safeguarding procedure," the press secretary said, is not meant "to cast aspersions

on any individual."

In fact, Mr. Ziegler added, Mr. Haldeman and Mr. Ehrlichman had agreed to the procedure. But their acquiescence could not obscure the fall from grace of the two men who, until their resignations yesterday, had more access to the President than any other public official. Now they are unable to look at their papers alone.

The two were seen leaving the White House at midmorning, seated in the back seat of an official limousine, with papers stacked on their laps. The papers were reportedly culled from their files, under supervision, to help them defend themselves before the grand jury and Senate investigators.

The plan to protect the files was decided upon at a meeting yesterday afternoon of Leonard Garment, who temporarily took over Mr. Dean's duties as White House counsel; Elliot L. Richardson, whom

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Mr. Nixon has nominated as Attorney General, and William D. Ruckelshaus, acting director of the F.B.I.

A White House statement said the agents had been put into place "to make sure that access and removal of any files were supervised." The Watergate case has produced charges that vital documents were removed from the White House and destroyed.

Mr. Haldeman and Mr. Ehrlichman were at their desks today, preparing for a transition period that could last as long as three weeks.

But Mr. Dean was nowhere to be found. White House sources said that staff members failed to reach him yesterday to tell him that his "resignation"—which he never wrote—was being accepted. In fact, they said, he was ousted, and presumably learned his fate from news reports.

Mr. Nixon's mood swung from joviality to anger as the day went on. Waiting to welcome Chancellor Willy Brandt of West Germany this morning, he joked with photographers about his weight. Then

he joked with Mr. Brandt about the Chancellor's lack of luck on a fishing expedition yesterday.

But at a Cabinet meeting this afternoon, the President rose from his seat to excoriate Senator Charles H. Percy, an Illinois Republican, according to an official who was present. He said, among other things, that Mr. Percy, who is thought to have White House ambitions, would never be elected President.

Nixon was angered by a resolution, introduced by Mr. Percy and passed by the Senate this morning, calling for the appointment of a special prosecutor in the case, subject to Senate approval.

The President's fury, the official said, was aroused not because Mr. Nixon is opposed to the idea of a special prosecutor, but because he thought Mr. Richardson ought to be able to decide the question without pressure from party colleagues.

Decision Termed Richardson's

At the regular press briefing, in fact, Mr. Ziegler stressed that Mr. Richardson had a firm mandate to accept or reject the idea of a "special super-

visory prosecutor" mentioned by Mr. Nixon last night. And Mr. Ziegler suggested that Mr. Richardson had broad latitude in interpreting that phrase.

Mr. Ziegler also suggested that the President might be backing away from his April 17 rejection of immunity from prosecution for major figures in the case. Asked whether Mr. Nixon had changed his mind, the press secretary said the question was one that "Mr. Richardson should address."

The President's opposition to immunity has introduced a complication into the prosecution of the case, with investigators complaining that Mr. Dean was reluctant to tell all without a grant of immunity. Some legal scholars have accused Mr. Nixon of sheathing a major prosecution weapon.

Aides said that the Cabinet meeting was part of an effort to show the President leaving Watergate behind and seizing more firmly than ever before the reins of government. In addition to the Cabinet session, he talked with the Republican and Democratic Congressional leadership, met with and presided at a dinner for Mr. Brandt, sent a foreign aid bill to Capitol Hill and scheduled economic conferences for tomorrow.

Other Comments by Ziegler

On other topics related to the Watergate case, Mr. Ziegler said the following:

¶That to his knowledge, Herbert W. Kalmbach, the President's personal lawyer, was no longer handling business for Mr. Nixon. Mr. Kalmbach admitted to the F.B.I. that he had paid \$30,000 to Donald H. Segretti for espionage activities against the Democrats.

¶That the President would hold frequent news conferences in coming months, possibly including one next week.

¶That it had not yet been decided whether Mr. Haldeman and Mr. Ehrlichman would be replaced, with "the new men carrying on in the same way." That statement left open the possibility—considered a probability by some sources—that Mr. Nixon will create a new White House staff system, without the centralization it had under Mr. Haldeman.

A Cabinet member said this evening that "no one will replace Haldeman in the feeling and the regard the President had for him." Mr. Haldeman's duties as chief of staff were therefore likely, the official added, "to be parceled out, with various people performing little bits and pieces of them."